

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2024-915-E

AN ORDINANCE REZONING APPROXIMATELY 5.16± ACRES,
LOCATED IN COUNCIL DISTRICT 7 AT 901, 937, AND
940 MAIN STREET N., BETWEEN STATE STREET EAST
AND PHELPS STREET (R.E. NOS. 074367-0000,
074378-0000, AND 074386-0000), OWNED BY OCEAN
HART, LLC, DOZIER PRESTIGE WORLDWIDE, LLC AND
OLLIVANDERS DOWNTOWN, LLC, FROM PUBLIC BUILDING
AND FACILITIES-1 (PBF-1) DISTRICT AND PLANNED
UNIT DEVELOPMENT (PUD) DISTRICT (2005-1151-E AND
2017-484-E) TO PLANNED UNIT DEVELOPMENT (PUD)
DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
ZONING CODE, TO PERMIT SCHOOLS, MULTIFAMILY
RESIDENTIAL DWELLINGS, AND VARIOUS COMMERCIAL
USES, INCLUDING THE SALE AND SERVICE OF ALL
ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER AND
WINE, FOR ON-PREMISES CONSUMPTION AND OFF-
PREMISES CONSUMPTION ON PROPERTY LOCATED LESS
THAN 1,500 FEET FROM A CHURCH WITHOUT THE
REQUIREMENT TO OBTAIN A WAIVER OF MINIMUM
DISTANCE FOR A LIQUOR LICENSE LOCATION PURSUANT
TO SECTION 656.805, *ORDINANCE CODE*, AS DESCRIBED
IN THE MAIN STREET MIXED-USE PUD, PURSUANT TO
FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
AMENDMENT APPLICATION NUMBER L-5945-24C; PUD
SUBJECT TO CONDITIONS; FINDING THAT THERE IS
COMPETENT, SUBSTANTIAL EVIDENCE IN THE RECORD TO
SUPPORT THE NEED FOR RELIEF FROM THE REQUIREMENT

1 FOR A WAIVER OF MINIMUM DISTANCE FOR LIQUOR
2 LICENSE LOCATION; PROVIDING A DISCLAIMER THAT THE
3 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
4 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
5 PROVIDING AN EFFECTIVE DATE.
6

7 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
8 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
9 portions of the Future Land Use Map series (FLUMs) in order to ensure
10 the accuracy and internal consistency of the plan, pursuant to
11 companion application L-5945-24C; and

12 **WHEREAS,** in order to ensure consistency of zoning district
13 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
14 Amendment L-5906-24C, an application to rezone and reclassify from
15 Public Building and Facilities-1 (PBF-1) District and Planned Unit
16 Development (PUD) District (2005-1151-E and 2017-484-E) to Planned
17 Unit Development (PUD) District was filed by Cyndy Trimmer, Esq., on
18 behalf of the owners of approximately 5.16± acres of certain real
19 property in Council District 7, as more particularly described in
20 Section 1; and

21 **WHEREAS,** the Planning and Development Department, in order to
22 ensure consistency of this zoning district with the *2045 Comprehensive*
23 *Plan*, has considered the rezoning and has rendered an advisory
24 opinion; and

25 **WHEREAS,** the Planning Commission has considered the
26 application and has rendered an advisory opinion; and

27 **WHEREAS,** the Land Use and Zoning Committee, after due notice
28 and public hearing, has made its recommendation to the Council; and

29 **WHEREAS,** the City Council, after due notice, held a public
30 hearing, and taking into consideration the above recommendations as
31 well as all oral and written comments received during the public

1 hearings, the Council finds that such rezoning is consistent with the
2 2045 Comprehensive Plan adopted under the comprehensive planning
3 ordinance for future development of the City of Jacksonville; and

4 **WHEREAS,** the Council finds that the proposed PUD does not
5 affect adversely the orderly development of the City as embodied in
6 the *Zoning Code*; will not affect adversely the health and safety of
7 residents in the area; will not be detrimental to the natural
8 environment or to the use or development of the adjacent properties
9 in the general neighborhood; and the proposed PUD will accomplish the
10 objectives and meet the standards of Section 656.340 (Planned Unit
11 Development) of the *Zoning Code* of the City of Jacksonville; now
12 therefore

13 **BE IT ORDAINED** by the Council of the City of Jacksonville:

14 **Section 1. Subject Property Location and Description.** The
15 approximately 5.16± acres are located in Council District 7 at 901,
16 937, and 940 Main Street N., between State Street East and Phelps
17 Street (R.E. No(s) 074367-0000, 074378-0000, and 074386-0000), as
18 more particularly described in **Exhibit 1**, dated November 29, 2023,
19 and graphically depicted in **Exhibit 2**, both of which are attached
20 hereto and incorporated herein by this reference (the "Subject
21 Property").

22 **Section 2. Owner and Applicant Description.** The Subject
23 Property is owned by Ocean Hart, LLC, Dozier Prestige Worldwide, LLC
24 and Ollivanders Downtown, LLC. The applicant is Cyndy Trimmer, Esq.,
25 1 Independent Drive, Suite 1200, Jacksonville, Florida, 32202; (904)
26 807-0185.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment Application
29 L-5945-24C, is hereby rezoned and reclassified from Public Building
30 and Facilities-1 (PBF-1) District and Planned Unit Development (PUD)
31 District (2005-1151-E and 2017-484-E) to Planned Unit Development

(PUD) District. This new PUD district shall generally permit schools, multifamily residential dwellings, and various commercial uses, and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated November 29, 2023.

Exhibit 2 - Subject Property per P&DD.

Revised Exhibit 3 - Revised Written Description dated December 11, 2024.

Exhibit 4 - Site Plan dated October 18, 2023.

Section 4. Rezoning Approved Subject to Conditions. This rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning:

(1) No building permits will be issued for 901 Main Street North until the Property is: (1) deemed in compliance with Florida Department of Environmental Protection soil and groundwater cleanup target levels; (2) subject to an approved Florida Department of Environmental Protection Brownfields Site Rehabilitation Agreement; (3) subject to a Florida Department of Environmental Protection approved Remedial Action Plan and schedule warranted by Developer; (4) subject to a Site Remediation Completion Order issued by Florida Department of Environmental Protection with or without conditions; or (5) remediated by the Developer providing a balance between the need for protection of public health and welfare and the environment pursuant to a plan approved by Florida Department of Environmental Protection.

(2) A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).

Section 5. Findings Regarding Deviation from Waiver of Minimum Distance for Liquor License Location. Pursuant to Section

656.341(c)(2)(ii)(B), *Ordinance Code*, when a PUD Written Description includes a request for a deviation or waiver from various Zoning Code requirements, including waivers of liquor distances from churches and schools, the Council is required to determine that the requested deviation or waiver is necessary. The Council hereby finds that there is competent and substantial evidence in the record to support the need for relief from the requirement for a waiver of minimum distance for liquor license location as requested in **Exhibit 3** for the reasons articulated by the Land Use and Zoning Committee.

Section 6. Contingency. This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, *Florida Statutes*.

Section 7. Disclaimer. The rezoning granted herein shall not be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this rezoning does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

Section 8. Effective Date. The enactment of this Ordinance shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council
2 President and the Council Secretary.

3
4 Form Approved:

5
6 /s/ Dylan Reingold

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

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